

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 08-63253

JOSEPH S. HARRIS, and
KELLY S. HARRIS,

Chapter 13

Judge Thomas J. Tucker

Debtors.

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ORDER MODIFYING ORDER CONFIRMING PLAN

On March 11, 2009, the Court entered an “Order Confirming Plan” (Docket # 50), which provided in relevant part:

IT IS FURTHER ORDERED that the claim of attorney for the Debtor, for the allowance of compensation and reimbursement of expenses is allowed in the total amount of \$ 3,000.00 in fees and \$ 0.00 in expenses, and that the portion of such claim which has not already been paid, to-wit: \$ 2,000.00 shall be paid by the Trustee as an administrative expense of this case.

This language in the Order Confirming Plan is inconsistent with the text order the Court entered on October 16, 2008 (Docket # 28). That Order stated, in relevant part: “Fees for Debtors’ attorney will be allowed by application only, and no fees will be allowed for work relating to the motion to extend the stay.” Accordingly, the Order Confirming Plan must be modified.

IT IS ORDERED that the language in paragraph in the “Order Confirming Plan” quoted above regarding the payment of the debtor’s attorney fees and expenses is modified by the terms of this Order.

IT IS FURTHER ORDERED that the claim of the attorney for the Debtor, for the allowance of compensation and reimbursement of expenses, will be allowed by application only, and once allowed, shall be paid by the Trustee as an administrative expense of this case. As

stated in the Court's order filed October 16, 2008 (Docket # 28), "[f]ees for Debtors' attorney will be allowed by application only, and no fees will be allowed for work relating to the motion to extend the stay."

Signed on March 12, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge